

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

IN RE: AQUEOUS FILM-FORMING FOAMS
PRODUCTS LIABILITY LITIGATION

MDL No. 2:18-mn-2873-RMG

This Document relates to:
ALL CASES

**CONSENT MOTION TO EXTEND THE BRIEFING SCHEDULE
ON E. I. DU PONT DE NEMOURS AND COMPANY, THE CHEMOURS COMPANY,
AND THE CHEMOURS COMPANY FC, LLC’S MOTION FOR RECONSIDERATION**

Pursuant to Local Civil Rule 6.01, the parties move by consent for an extension of time for the Plaintiffs’ Executive Committee (“Plaintiffs”) to respond to Defendants, E. I. du Pont de Nemours and Company, The Chemours Company and The Chemours Company FC, LLC (“Defendants”) Motion for Reconsideration or Certification for Interlocutory Appeal, ECF 2727 (“Motion for Reconsideration”), and for Defendants to reply to Plaintiffs’ forthcoming response.

Defendants’ Motion for Reconsideration raises numerous legal issues involving tens of thousands of documents on Defendants’ respective privilege logs related to Plaintiffs’ fraudulent transfer claims against these Defendants, and, in the alternative to reconsideration, seeks certification for interlocutory appeal and a stay of enforcement of portions of the Court’s December 1 Order. The parties seek additional time for Plaintiffs to fully review and properly respond to the Motion for Reconsideration.

The extension would not affect the deadlines for any other parties or claims in this litigation. The Motion for Reconsideration relates to a discovery order requiring the production of documents related to Plaintiffs’ fraudulent transfer claims against these Defendants. The Court has entered the Stipulation Regarding Fraudulent Transfer Claims Deadlines setting out a separate discovery deadline governing Plaintiffs’ fraudulent transfer claims. *See* CMO 23. The parties

previously agreed that they would seek an extension of the discovery deadlines after Plaintiffs' Motion to Compel was decided, *see* ECF 2329, in a motion that this Court granted by text order, ECF 2353. Plaintiffs' Motion to Compel was decided by an order of this Court dated December 1, 2022, which is subject to the Motion for Reconsideration at issue herein. The extension would not affect any other deadlines in this litigation. *See* CMO 23 at ¶ 2.

For the reasons set forth above, the parties respectfully move the Court for an extension of time until January 5, 2023, for Plaintiffs to respond to the Motion for Reconsideration, which would likewise extend Defendants time to reply to January 12, 2023. Counsel for Defendants have consented and authorized counsel for Plaintiffs to include counsel for Defendants' electronic signature on this consent motion.

Dated: December 30, 2022 Respectfully Submitted,

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WE CONSENT

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was electronically filed with this Court's CM/ECF on this 30th Day of December, 2022 and was thus served electronically upon counsel of record.

/s/ Fred Thompson, III